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and Officer Stephen B. Pettey*

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

CHRISTOPHER WISE, MICHAEL MARTINEZ, CHRISTOPHER DURKEE, and SAVANNAH GUEST, individuals,

Plaintiffs,

v.

CITY OF PORTLAND, a municipal corporation; OFFICER STEPHEN B. PETTEY, in his individual capacity; JOHN DOES 1-60, individual and supervisory officers of Portland Police Bureau; U.S. DEPARTMENT OF HOMELAND SECURITY; U.S. MARSHALS SERVICE; JOHN DOES 61-100, individual and supervisory officers of the federal government,

Defendants.

Case No.: 3:20-cv-01193-IM

DEFENDANTS CITY OF PORTLAND AND OFFICER STEPHEN B. PETTEY'S RESPONSE IN *OPPOSITION TO PLAINTIFFS' AMENDED SECOND MOTION FOR EXTENSION OF TIME TO IDENTIFY AND SERVE DOE DEFENDANTS*

Defendants City of Portland and Officer Stephen B. Pettey ("City Defendants") oppose Plaintiffs' Amended Second Motion for Extension of Time to Identify and Serve Doe Defendants ("Plaintiffs' Amended Motion") (ECF No. 104) for the same reasons previously argued in City Page 1 – DEFENDANTS CITY OF PORTLAND AND OFFICER STEPHEN B. PETTEY'S RESPONSE IN *OPPOSITION TO PLAINTIFFS' AMENDED SECOND MOTION FOR EXTENSION OF TIME TO IDENTIFY AND SERVE DOE DEFENDANTS*

Defendants' Response in Opposition to Plaintiffs' Second Motion for Extension of Time to Identify and Serve Doe Defendants ("City Defendants' Response") (ECF No. 101) at pages 2-3, and the supporting Declaration of William W. Manlove ("Manlove Decl.") (ECF No. 102) at Manlove Decl., ¶ 7. Plaintiffs' Amended Motion continues to fail to explain or even address why Plaintiffs have not identified the time and location of the various uses of force at issue in their lawsuit. Plaintiffs have had over three months from the Rule 26(f) conference to accomplish this simple and straightforward task. Counsel agreed that such identification was the most effective way to begin the process of attempting to identify the Municipal John Doe defendants. (See Manlove Decl., ¶¶ 5, 6.) Plaintiffs' efforts over the last 10 months to keep the federal defendants as part of their lawsuit has no bearing on the issue of why they have not identified the time and location of the uses of force at issue in their lawsuit. (See Plaintiffs' Amended Motion, pages 2-3.)

As a result, Plaintiffs have not shown a good cause exception to extend the deadline for identifying the Municipal John Doe defendants. The Court should deny Plaintiffs' Amended Motion.

Dated: September 9, 2021

Respectfully submitted,

/s/William W. Manlove

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